

Indiana Department of Transportation

County Jackson Route SR 258 Sight Distance Correction Des. No. 1298633

FHWA-Indiana Environmental Document CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM GENERAL PROJECT INFORMATION

Road No./County:	State Route 258 (SR 258), Jackson
Designation Number:	1298633
Project Description/Termini:	Sight distance correction extending west along SR 258 approximately 2,100 feet from County Road 100 East (CR 100E).

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

X	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager)
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services Division)
	Categorical Exclusion, Level 4 – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA
	Environmental Assessment (EA) – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA

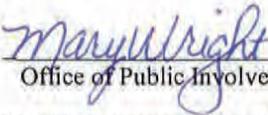
Note: For documents prepared by or for Environmental Services Division, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

Approval  2016.12.08 09:57:41
 ESM Signature _____ Date _____ ES Signature _____ Date _____

 FHWA Signature _____ Date _____

Release for Public Involvement

 2016.10.14 10:19:36
 ESM Initials _____ Date _____ ES Initials _____ Date _____

Certification of Public Involvement  11/15/16
 Office of Public Involvement _____ Date _____

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

INDOT ES/District Env. Reviewer Signature: _____ Date: _____

Name and Organization of CE/EA Preparer: Thomas F. Molt, Environmental Scientist, DLZ Indiana, LLC

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Part I - PUBLIC INVOLVEMENT

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. The level of public involvement should be commensurate with the proposed action.

Does the project have a historic bridge processed under the Historic Bridges PA*? Yes No
If No, then: Opportunity for a Public Hearing Required? X

*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Remarks: Documentation of public involvement activities is presented in Appendix G. A notice of survey letter was sent to the owners of potentially affected parcels on October 20, 2014. Views of the public pertaining to the Federal Highway Administration (FHWA) / Indiana Department of Transportation (INDOT) Finding of No Historic Properties Affected were sought through publication of a legal notice in The Tribune newspaper (Seymour, Indiana) on January 16, 2016. Representatives of DLZ met with an owner of land that will be affected by the project on August 2, 2016, to discuss the project in general and also the locations of soil borings needed on the property (Appendix F, page 5). This project includes the acquisition of greater than one-half acre of land for permanent right-of-way. Therefore, in accordance with the INDOT Public Involvement Manual 2012, the project meets the one-half acre right-of-way acquisition threshold for requiring the offer of a public hearing. A public hearing was offered for this project subsequent to October 14, 2016 authorization of this environmental document to be advanced to the public involvement phase of project development. Notices for the public hearing offer were advertised in The Tribune newspaper (Seymour, Indiana) on October 19, 2016 and October 26, 2016 (Appendix F, page 4). No requests for a public hearing to be held were received as a result of these notices. Additionally, no comments were received that will result in modifications to the project plans. Representatives of INDOT met with an owner of land that will be affected by the project on November 10, 2016, to discuss the project's preliminary design and also the process that will be followed for the acquisition of property for right of way purposes (Appendix F, page 6). INDOT certified completion of the public involvement process on November 15, 2016.

Public Controversy on Environmental Grounds Will the project involve substantial controversy concerning community and/or natural resource impacts? Yes No X

Remarks: The project is not anticipated to involve substantial controversy concerning community and/or natural resource impacts.

Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: Indiana Department of Transportation INDOT District: Seymour
Local Name of the Facility: State Road 258 (SR 258)

Funding Source (mark all that apply): Federal X State X Local Other*

*If other is selected, please identify the funding source:

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PURPOSE AND NEED:

Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)

Project Need:

Within the project limits, the vertical alignment consists of two crest vertical curves (hills) separated by a sag vertical curve (valley). The eastern crest vertical curve (the larger of the two) does not meet current design standards and thus does not provide adequate stopping sight distance. There also are four driveway approaches located near the crest of the east vertical curve. In addition to insufficient stopping sight distance for the identification of vehicles turning into the driveways, there is inadequate sight distance for vehicles turning from the driveways onto SR 258. This is in contrast to the surrounding SR 258 corridor which is generally a more level terrain with adequate sight distance.

Project Purpose:

The purpose for this project is to improve stopping sight distance to allow for the safe and efficient movement of traffic through the project design year of 2037.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Jackson

Municipality: N/A

Limits of Proposed Work: Sight distance correction extending approximately 2,100 feet west of CR 100 E.

Total Work Length: 0.40 Mile(s)

Total Work Area: Acre(s)

Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required?
If yes, when did the FHWA grant a conditional approval for this project?

Yes¹	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

¹If an IMS or IJS is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IMS/IJS.

In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.

The existing profile of SR 258 will be modified in order to improve the stopping sight distance at this location. In order to avoid relocations of existing property owners, the project's horizontal alignment will be shifted approximately 75 feet to the north. By shifting the alignment to the north, the need for significant grade changes on the existing alignment and construction of retaining walls will be eliminated.

The project design will be based on a design speed of 55 miles per hour (mph) using a functional classification of Rural Major Collector. While the design speed is 55 mph, the vertical stopping sight distance is only being corrected to the requirements of a 45 mph design speed. The existing lane widths are approximately 10.5 feet. Proposed travel lanes will be 12 feet wide, with one lane in each direction. There are currently no existing shoulders along this section of SR 258. It is not practical to widen the shoulders for this section of SR 258 to the desired width of 8 (paved) feet. A design exception to provide a 1 foot aggregate shoulder, in-lieu of the minimum 8 foot paved shoulder requirement, is anticipated. Total length of construction along SR 258 will be approximately 2,100 feet. Refer to the project location maps, pictures and preliminary plans, in Appendix B, pages 1-16.

Specific project activities will include the following:

1. The design speed will be 55 MPH.
2. The design of the roadway will consist of asphalt pavement.
3. The proposed roadway will consist of two 12-foot lanes.

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4. The proposed roadway drainage will follow existing drainage patterns.

OTHER ALTERNATIVES CONSIDERED:

Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.

Do Nothing Alternative:
 Selection of the Do Nothing Alternative is not prudent because it would not satisfy the project's purpose and need of improving the safety of the affected roadway.

Sight Distance Correction Along Existing Horizontal Alignment:
 The existing vertical profile of SR 258 would be modified in order to improve the stopping sight distance at this location. The vertical profile modifications would require relocating the existing property owners along the south side of SR 258. This alternative would satisfy the project purpose and need; however, due to high construction cost and impact to the adjoining properties, the initial (existing horizontal alignment) design concept was discarded and a slightly modified alignment (75-foot shift to the north) was decided upon by INDOT.

The Do Nothing Alternative is not feasible, prudent or practicable because (Mark all that apply):

- It would not correct existing capacity deficiencies;
- It would not correct existing safety hazards;
- It would not correct the existing roadway geometric deficiencies;
- It would not correct existing deteriorated conditions and maintenance problems; or
- It would result in serious impacts to the motoring public and general welfare of the economy.
- Other (Describe):

ROADWAY CHARACTER:

Functional Classification: Rural Major Collector
 Current ADT: 2,361 VPD (2017) Design Year ADT: 2,833 VPD (2037)
 Design Hour Volume (DHV): Truck Percentage (%) 11%
 Designed Speed (mph): 55 Legal Speed (mph): 55

	Existing		Proposed	
Number of Lanes:	2		2	
Type of Lanes:	Through		Through	
Pavement Width:	10.5	ft.	12	ft.
Shoulder Width:	N/A	ft.	2	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk/ Multi-Use Path Width:	N/A	ft.	N/A	ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

If the proposed action has multiple roadways, this section should be filled out for each roadway.

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DESIGN CRITERIA FOR BRIDGES:

Structure/NBI Number(s): _____ Sufficiency Rating: _____
(Rating, Source of Information)

	Existing	Proposed	
Bridge Type:			
Number of Spans:			
Weight Restrictions:	ton		ton
Height Restrictions: (under)			ft.
Curb to Curb Width:	ft.		ft.
Outside to Outside Width:	ft.		ft.
Shoulder Width:	ft.		ft.
Length of Channel Work:			ft.

Describe bridges and structures; provide specific location information for small structures.

Remarks:

This project will have no involvement with bridges. The drainage for this section of SR 258 is generally carried through roadside ditches located along both the north and south sides of the roadway. There is one 15" corrugated plastic pipe driveway culvert located within the project limits. It is located on the south side of the road under the western most drive approach. This culvert conveys roadside drainage from the east under the driveway to the west. This culvert also will be replaced in-kind as a part of this project. No other culverts or small drainage structures will be affected by this project. Refer to the attached Plan Sheets in Appendix B, pages 11-16.

Yes
 No
 N/A

Will the structure be rehabilitated or replaced as part of the project?
If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe in remarks)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

The maintenance of traffic (MOT) for this project will consist of a detour route. Please refer to the MOT plan sheet presented as Appendix B, page 12. Access to local residences will be maintained at all times. Traffic will be maintained according to 2016 INDOT Standard Specifications.

Field reconnaissance of the project area for the presence of local through-traffic dependent businesses was conducted on April 8, 2016 by a DLZ Environmental Scientist. The field reconnaissance identified no local through-traffic dependent businesses in the project vicinity that will be adversely affected by the temporary roadway closure or detour.

Early coordination letters requesting a response detailing any concerns or questions regarding the proposed project were provided to the local school authority and emergency responders. No early coordination responses were received from

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these agencies.

While the temporary roadway closure and detour could cause minor travel delays, no other impacts are anticipated. These delays will be temporary (during construction). The duration of the road closure is currently unknown; however, the public will be informed of any and all detours or lane restrictions through the use of public media outlets and the following INDOT Traffic Wise web site: <http://indot.carsprogram.org>.

The official detour route will utilize US 50 to SR 135, approximately 21 miles in length. Access to the existing homes will need to be maintained during construction. There appears to be local roadways that will be available for local detours, etc.

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 25,543 (2016) Right-of-Way: \$ 125,000 (2017) Construction: \$ 3,176,964 (2018)

Anticipated Start Date of Construction: April 2018

Date project incorporated into STIP July 1, 2015, Refer to Appendix G, Pages 1-5

Is the project in an MPO Area? Yes No

If yes,

Name of MPO _____

Location of Project in TIP _____

Date of incorporation by reference into the STIP _____

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	5.00	0.20
Commercial	0	0
Agricultural	0	0
Forest	0	0
Wetlands	0	0
Other:	0	0
TOTAL	5.00	0.20

Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition or reacquisition, either known or suspected, and there impacts on the environmental analysis should be discussed.

Remarks:

Approximately, 5.00 acres of existing residential land will be acquired for permanent right-of-way from four landowners with properties along SR 258. The affected residential land within the proposed right-of-way currently consists of trees, shrubs, lawns and landscape areas. In addition, 0.20 acre of residential land will be required for temporary right-of-way

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for grading and driveway reconstruction.

Part III – Identification and Evaluation of Impacts of the Proposed Action

SECTION A – ECOLOGICAL RESOURCES

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Streams, Rivers, Watercourses & Jurisdictional Ditches			
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways			

Remarks:

A review of the IndianaMap Geographic Information System (GIS) data layers (<http://inmap.indiana.edu/viewer.htm>) for water resources, as well as topographic and aerial maps, was performed as part of the Red Flag Investigation (RFI) for the project (Appendix E, pages 1-11). Sixty-eight water resources (four NWI wetland lines, six floodplain areas, 31 NWI wetland polygons, nine streams, 16 lakes, and two IDEM 303d listed streams) are present in the 0.5 mile RFI radius. Two lakes and one wetland polygon also were identified adjacent to the project area. However, there are no stream, river or watercourse features noted within the anticipated construction limits.

On October 29, 2014, a DLZ Indiana, LLC Wetland Scientist conducted field reconnaissance of the project area to determine the presence of features likely to be considered Waters of the United States. The field inspection confirmed the lack of drainage features that have Waters of the United States parameters including OHWM or exhibited bed and bank features. The field inspection revealed four ditches that convey roadside drainage discharges to the east and west of the crest. These ditches were manmade for the purpose of roadside drainage, constructed in mapped upland soil units, drain only upland areas, and do not convey a relatively permanent flow of water. Therefore, these four ditches are not identified as jurisdictional Waters of the United States. No other drainage features were observed that had Waters of the United States parameters including OHWM or exhibited bed and bank features.

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Other Surface Waters			
Reservoirs			
Lakes			
Farm Ponds			
Detention Basins			
Storm Water Management Facilities			
Other: _____			

Remarks:

On October 29, 2014, a DLZ Indiana, LLC Wetland Scientist conducted field reconnaissance of the project area to determine the presence of reservoirs, lakes, farm ponds, detention basin or storm water management features. The field inspection did not identify any of these features within or immediately adjacent to the project area. Per the RFI prepared and the field reconnaissance conducted for this project, there are no reservoirs, lakes, farm ponds, detention basins or storm water management features located within the project area. Refer to Appendix E, page 6.

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Wetlands

	<u>Presence</u>	<u>Impacts</u>
		Yes No
	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

Total wetland area: 0 acre(s) Total wetland area impacted: 0 acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments

	<u>Documentation</u>	<u>ES Approval Dates</u>
Wetlands (Mark all that apply)		
Wetland Determination	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Delineation	<input type="checkbox"/>	<input type="checkbox"/>
USACE Isolated Waters Determination	<input type="checkbox"/>	<input type="checkbox"/>
Mitigation Plan	<input type="checkbox"/>	<input type="checkbox"/>

Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):

- Substantial adverse impacts to adjacent homes, business or other improved properties;
- Substantially increased project costs;
- Unique engineering, traffic, maintenance, or safety problems;
- Substantial adverse social, economic, or environmental impacts, or
- The project not meeting the identified needs.

Measures to avoid, minimize, and mitigate wetland impacts need to be discussed in the remarks box.

Remarks:

A review of the IndianaMap GIS data layers (<http://inmap.indiana.edu/viewer.htm>) for water resources, as well as topographic and aerial maps, was performed as part of the RFI for this project (Appendix E, pages 1-11). On October 29, 2014, a DLZ Indiana, LLC Wetland Scientist conducted field reconnaissance of the project area to determine the presence of features likely to be considered jurisdictional wetlands. No areas meeting the definition of jurisdictional wetlands were identified within or adjacent to the project area.

The project will not impact wetlands and is therefore in compliance with the most current version of the wetland finding portion of the Categorical Exclusion Programmatic Agreement between the Federal Highway Administration and the Indiana Department of Transportation. No individual wetlands finding is required.

	<u>Presence</u>	<u>Impacts</u>
		Yes No
Terrestrial Habitat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/>
Unique or High Quality Habitat	<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>

Use the remarks box to identify

each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).

Remarks:

Terrestrial habitats within the project area were identified by a DLZ Environmental Scientist during field reconnaissance on November 14, 2014. Terrestrial habitats that will be affected include approximately 4.0 acres of existing forest land that will be acquired for permanent right-of-way. The forest land to be acquired is located within the adjacent residential properties on both sides of SR 258. Impacts will include the removal of trees and shrubs. Impact upon this forest habitat is limited to areas adjacent to the existing roadway where habitat values are lower than similar habitats further away.

The IDNR provided a list of recommended measures to avoid, minimize or compensate for impacts to fish, wildlife and botanical resources. One such measure pertaining to limiting potential habitat impacts is listed as an environmental commitment for further consideration in the Environmental Commitments section of this document. Refer to Section J –

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Environmental Commitment 7 below.

If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.

Karst	Yes	No
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are karst features located within or adjacent to the footprint of the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, will the project impact any of these karst features?	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)

Remarks: A portion of western Jackson County is located within the Potential Karst Features Region of Indiana based on the October 1993 Karst Memorandum of Understanding (MOU) between INDOT, the Indiana Department of Natural Resources (IDNR), IDEM, and the United States Department of the Interior Fish and Wildlife Service (USFWS). However, this project is located in east central Jackson County and not within the Potential Karst Features Region. A November 14, 2014 field reconnaissance by an environmental scientist from DLZ Indiana LLC did not identify karst features to be present within the project vicinity; therefore, impacts to karst features are not anticipated for this project.

Threatened or Endangered Species	Presence	Impacts	
		Yes	No
	Within the known range of any federal species	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Any critical habitat identified within project area	<input type="checkbox"/>	<input type="checkbox"/>
Federal species found in project area (based upon informal consultation)	<input type="checkbox"/>	<input type="checkbox"/>	
State species found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input type="checkbox"/>	
Is Section 7 formal consultation required for this action?	Yes	No	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Remarks: The United States Fish and Wildlife Service (USFWS) early coordination letter dated June 2, 2016, noted that the project is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The USFWS letter also noted that there is suitable summer habitat present for both of these species throughout the area surrounding the project site, including wooded areas within the project boundary. The USFWS letter further noted that the project will not eliminate enough suitable habitat to affect these two species. Refer to the attached USFWS early coordination response letter in Appendix C, pages 18-19.

To avoid incidental take from removal of an occupied roost tree, the USFWS recommended that tree clearing be avoided during the period April 1 through September 30. The tree-clearing restriction is a firm commitment for this project. Refer to Section J – Environmental Commitment 4 below. With implementation of this measure, the USFWS concurs that this project is not likely to adversely affect the Indiana bat or the northern long-eared bat. Further coordination under Section 7 of the Endangered Species Act of 1973, as amended, is not required.

In an Early Coordination response dated February 23, 2016, the IDNR Division of Fish and Wildlife indicated that a review of its Natural Heritage Program data had identified no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity. (See Appendix C, pages 6-7).

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SECTION B – OTHER RESOURCES

Drinking Water Resources

- Wellhead Protection Area
- Public Water System(s)
- Residential Well(s)
- Source Water Protection Area(s)
- Sole Source Aquifer (SSA)

<u>Presence</u>	<u>Impacts</u>	
	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a SSA is present, answer the following:

- Is the Project in the St. Joseph Aquifer System?
- Is the FHWA/EPA SSA MOU Applicable?
- Initial Groundwater Assessment Required?
- Detailed Groundwater Assessment Required?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

The project is not located in the St. Joseph Aquifer System, and the FHWA/Environmental Protection Agency (EPA) Sole Source Aquifer MOU does not apply.

There are no public water utilities present in the project area. Public and private utility coordination has been undertaken for this project and will be ongoing throughout the design and construction process. In accordance with Indiana Administrative Code 105 IAC 13-3-3, an INDOT Utility Relocation Work Plan for this project is required from all involved utilities.

The IDEM's Wellhead Proximity Determinator website (<http://idemmaps.idem.in.gov/whpa/>) was reviewed on June 1, 2016 by an environmental scientist from DLZ Indiana LLC. The required project location data was provided and it was determined this project is not located within a Wellhead Protection Area. Refer to Appendix B, Page 9. The IndianaMap GIS data layer for well (IDNR) locations was reviewed. There are no source water protection areas or residential wells in the project area.

The project is not anticipated to result in impacts upon active residential wells; however, if such a well were to be impacted by the project, INDOT will ensure that a new well will be placed in accordance with Indiana Code 25-39-4. Therefore, no impacts to drinking water resources are anticipated as a result of this project.

Flood Plains

- Longitudinal Encroachment
- Transverse Encroachment
- Project located within a regulated floodplain
- Homes located in floodplain within 1000' up/downstream from project

<u>Presence</u>	<u>Impacts</u>	
	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".

Remarks:

Based on a review of the IndianaMap website (<http://www.indianamap.org/>) GIS data layers, the project area is not located within a regulatory floodplain. Refer to Appendix E, page 6. The project does not encroach upon a regulatory floodplain as determined from available Federal Emergency Management Agency (FEMA) flood plain maps. Refer to Appendix B, page 10. Therefore, it does not fall within the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR.

Farmland

- Agricultural Lands
- Prime Farmland (per NRCS)

<u>Presence</u>	<u>Impacts</u>	
	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006* N/A)

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**If 160 or greater, see CE Manual for guidance.*

See CE Manual for guidance to determine which NRCS form is appropriate for your project.

Remarks:

In a February 10, 2016 coordination response (Appendix C, page 5), Natural Resources Conservation Service (NRCS) indicated that the project will not cause a conversion of prime farmland. This project will not impact any area currently in use as farmland. No other alternatives other than those already discussed in this document would be considered without a re-evaluation of the project's potential impacts upon farmland.

SECTION C – CULTURAL RESOURCES

	Category	Type	INDOT Approval Dates	N/A
Minor Projects PA Clearance				X

Results of Research Eligible and/or Listed Resource Present

Archaeology	
NRHP Buildings/Site(s)	
NRHP District(s)	
NRHP Bridge(s)	

Project Effect

No Historic Properties Affected No Adverse Effect Adverse Effect

Documentation Prepared

Documentation (mark all that apply)

		ES/FHWA Approval Date(s)	SHPO Approval Date(s)
Historic Properties Short Report			
Historic Property Report	X	July 20, 2015	August 25, 2015
Archaeological Records Check/ Review			
Archaeological Phase Ia Survey Report	X	September 15, 2015	October 19, 2015
Archaeological Phase Ic Survey Report			
Archaeological Phase II Investigation Report			
Archaeological Phase III Data Recovery	X	January 8, 2016	February 9, 2016
APE, Eligibility and Effect Determination	X	January 8, 2016	February 9, 2016
800.11 Documentation			

Memorandum of Agreement (MOA) **MOA Signature Dates** (List all signatories)

Describe all efforts to document cultural resources, including a detailed summary of the Section 106 process, using the categories outlined in the remarks box. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of paper(s) and the comment period deadline. Likewise include any further Section 106 work which must be completed at a later date, such as mitigation or deep trenching.

Remarks:

Area of Potential Effect (APE):
The APE established for this project encompasses all properties adjacent to the proposed project and those that have a viewshed of it. The APE limits vary with topography and potential viewshed impacts. A graphical depiction of the APE is presented in Appendix D, page 6.

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County JacksonRoute SR 258Des. No. 1298633**Coordination with Consulting Parties:**

The local agencies and individuals listed below were invited in writing to participate as consulting parties for this project. Invitations and project information were provided to the local agencies and individuals on July 30, 2015.

Local Agency / Individual Invited	Response / Date
Indiana Landmarks, Southern Regional Office	Accepted / August 10, 2015
Jackson County Historian	No response / declined
Jackson County Commissioners	No response / declined
Jackson County History Center	No response / declined

The Indiana State Historic Preservation Office (SHPO), FHWA and INDOT are automatically consulting parties. From the above listed local agencies and individuals, only the Indiana Landmarks agreed to participate as a consulting party for this project. The SHPO was requested to identify the need to include additional consulting parties. The August 25, 2015, SHPO response letter did not recommend any additional organizations to be invited to participate in consultation.

Archaeology:

Phase 1a archaeological reconnaissance survey of the project area (Brockington and Associates, Inc., August, 2015) did not identify National Register of Historic Places (NR) listed or NR-eligible archaeological sites in the original project area. The report was reviewed by the INDOT Cultural Resources Office (INDOT-CRO) and provided to the SHPO for review and comments on September 15, 2015. The SHPO concurred with the findings of this report in their October 19, 2015, comment letter (See Appendix D, pages 10-11). The recommendations from the report are presented in Appendix D, page 2.

A review to determine the need for an addendum archaeological investigation has been completed for an additional right-of-way area that will extend beyond the limits of the initial survey. The additional right-of-way area is due to the 75-foot alignment shift to the north. Since the additional right-of-way area extends less than 15 meters from the initial survey limit and most of the additional area consists of slopes that exceed 20%, INDOT-CRO determined that the project should proceed without additional archaeological assessment. Refer to Appendix D, pages 17-24.

Historic Properties:

A Historic Properties Short Report (HPSR), which documents reviews of currently available information and the survey efforts undertaken to identify historic properties within the APE, was prepared (Brockington and Associates, Inc., June 22, 2015). The HPSR recommended that none of the properties within the recommended APE are NR-eligible. The HPSR was reviewed by the INDOT-CRO and approved on July 20, 2015. The HPSR was provided to the SHPO and consulting parties for review and comment on July 30, 2015. On August 25, 2015, the SHPO concurred with the APE established for the project and with the HPSR's NRHP eligibility recommendations. Refer to Appendix D, pages 8-9.

Documentation, Findings:

The Phase 1a archaeological field reconnaissance report identified no archaeological resources in the project area. A review to determine the need for an addendum archaeological investigation was completed. Based on this review, on June 13, 2016, the INDOT-CRO determined that the project should be allowed to proceed without additional archaeological assessment. Refer to Appendix D, page 19.

The HPSR concludes that no historic properties or structures within the APE are listed in or eligible for the NR or the Indiana State Register of Historic Sites and Structures. The SHPO concurred with the conclusions of the HPSR in a letter dated August 25, 2015. Refer to attached Appendix D, pages 8-9. On January 8, 2016, the INDOT, on behalf of the FHWA, issued a finding of "No Historic Properties Affected". See Appendix D, page 12. On February 9, 2016, the SHPO concurred with the finding. See Appendix D, pages 15-16 for a copy of the letter. No other comments were received.

Public Involvement:

INDOT's Findings, made on behalf of FHWA, and supporting 36 CFR 800.11(d) documentation were provided to the SHPO and other consulting parties for a final 30-day comment period on January 11, 2016. On January 16, 2016, views of the public were concurrently sought through publication of the Findings in The Tribune (Seymour, Indiana) newspaper. Please refer to the publisher's affidavit attached in Appendix D, page 14. No public comments were received.

The Section 106 process has been completed and the responsibilities of the FHWA have been fulfilled.

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SECTION D – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

Section 4(f) Involvement (mark all that apply)

Parks & Other Recreational Land

- Publicly owned park
- Publicly owned recreation area
- Other (school, state/national forest, bikeway, etc.)

Presence

Use

Yes	No

Evaluations

Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA
Approval date

--

Wildlife & Waterfowl Refuges

- National Wildlife Refuge
- National Natural Landmark
- State Wildlife Area
- State Nature Preserve

Presence

Use

Yes	No

Evaluations

Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA
Approval date

--

Historic Properties

- Sites eligible and/or listed on the NRHP

Presence

--

Use

Yes	No

Evaluations

Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA
Approval date

--

*FHWA approval of the environmental document also serves as approval of any Section 4f Programmatic and/or De minimis evaluation(s) discussed below.

Discuss Programmatic Section 4(f) and “de minimis” Section 4(f) impacts in the remarks box below. Individual Section 4(f) documentation must be separate Draft and Final documents. For further discussions on Programmatic, “de minimis” and Individual Section 4(f) evaluations please refer to the “Procedural Manual for the Preparation of Environmental Studies”. Discuss proposed alternatives that satisfy the requirements of Section 4(f).

Remarks:

Based upon review of the Recreational Facilities and Managed Lands data layers contained on the IndianaMap website (<http://inmap.indiana.edu/viewer.htm>) and November 14, 2014 field reconnaissance by an environmental scientist from DLZ Indiana LLC, no wildlife/waterfowl refuges or parks and other recreational lands are located within or near the project area. No Historic properties were identified within the project area. The project will not result in the use of a Section 4(f) resource.

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Section 6(f) Involvement

Presence

Use

Yes

No

Section 6(f) Property

Discuss proposed alternatives that satisfy the requirements of Section 6(f). Discuss any Section 6(f) involvement.

Remarks:

No Section 6(f) resources were identified within the project area based upon a review of the information available at the National Park Service website (<http://waso-lwcf.nrc.nps.gov/public/index.cfm>), on November 14, 2014. The project will not involve any properties acquired by or improved with the Land and Water Conservation Fund. Please refer to Appendix C, page 9.

SECTION E – Air Quality

Air Quality

Conformity Status of the Project

Is the project in an air quality non-attainment or maintenance area?

Yes

No
X

If YES, then:

Is the project in the most current MPO TIP?

Yes

No

Is the project exempt from conformity?

Yes

No

If the project is NOT exempt from conformity, then:

Is the project in the Transportation Plan (TP)?

Yes

No

Is a hot spot analysis required (CO/PM)?

Yes

No

Level of MSAT Analysis required?

Level 1a Level 1b Level 2 Level 3 Level 4 Level 5

Remarks:

This project is not located within a Metropolitan Planning Organization (MPO) jurisdictional area. Jackson County is classified as being in attainment for all criteria pollutants by the United States Environmental Protection Agency (EPA).

The pages from the Fiscal Year (FY) 2016-2019 Indiana Statewide Transportation Improvement Program (STIP) document that reference the project are presented in Appendix G, pages 1-2.

The purpose of this project is to improve safety by correcting the existing sight-distance deficiencies in the project area by re-constructing the existing roadway segment on a slightly-modified horizontal and vertical alignment. This project has been determined to generate minimal air quality impacts for Clean Air Act amendments of 1990 (CAAA) criteria pollutants and has not been linked with any special mobile source air toxics (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause an increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, Environmental Protection Agency (EPA) regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOVES model forecasts a combined reduction of over 80 percent in the total annual emission rate for the priority MSAT from 2010 to 2050 while vehicle-miles of travel are projected to increase by over 100 percent. This will both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

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SECTION F - NOISE

Noise **Yes** **No**
 Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

	No	Yes/ Date
ES Review of Noise Analysis	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: The purpose of this project is to improve safety by correcting the existing stopping sight-distance deficiency in the project area by re-constructing the existing roadway segment on a slightly-modified horizontal and vertical alignment. The project will shift the alignment approximately 75 feet north and will therefore not substantially alter the horizontal alignment. The project will not result in a halving of the distance between the traffic noise source and the closest receptor between the existing condition and the future condition. Nor will the project substantially alter the vertical alignment or topography in a manner that would remove shielding, and therefore expose the line-of-sight between the receptor and the traffic noise source.

This project is a Type III project. In accordance with 23 CFR 772 and the INDOT Traffic Noise Policy, this action does not require formal noise analysis.

SECTION G – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors **Yes** **No**

Will the proposed action comply with the local/regional development patterns for the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed action result in substantial impacts to community cohesion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposed action result in substantial impacts to local tax base or property values?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will construction activities impact community events (festivals, fairs, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the community have an approved transition plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, are steps being made to advance the community's transition plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project comply with the transition plan? (explain in the remarks box)	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: While the roadway is under construction, the project will result in minor temporary negative effects upon the public such as extended travel length and delays. The effects will cease upon completion of the project. No long-term negative regional, community or neighborhood impacts are anticipated. The project is anticipated to result in positive safety effects by improving stopping sight distance along SR 258.

Jackson County does not have an Americans with Disabilities Act (ADA) Transition Plan.

Indirect and Cumulative Impacts **Yes** **No**
 Will the proposed action result in substantial indirect or cumulative impacts?

Remarks: The project will not result in substantial indirect and cumulative impacts. The project will not affect access to parcels where none currently exists, nor will it affect future changes in planned land use in the area. The project will not provide access to areas that are not currently planned for development.

Public Facilities & Services **Yes** **No**

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Will the proposed action result in substantial impacts on health and educational facilities, public and private utilities, emergency services, religious institutions, airports, public transportation or pedestrian and bicycle facilities? *Discuss how the maintenance of traffic will affect public facilities and services.*

Remarks:

The proposed roadway closure during construction will cause minor short-term impacts to the traveling public. No long-term negative impacts to public facilities or services are anticipated. Traffic will be detoured during construction. Through traffic will not be maintained during construction. However, access to all properties will be maintained during construction and safety conditions for motorists and pedestrians will be improved.

Public and private utility coordination has been undertaken and will be ongoing throughout the design and construction process. In accordance with Indiana Administrative Code 105 IAC 13-3-3, an INDOT Utility Relocation Work Plan for this project is required from all involved utilities.

Local emergency responders (Jackson County Sheriff and Emergency Management) and schools (Brownstown Central Community School Corporation, Cortland Elementary School and Seymour School Corporation) were sent Early Coordination requests. No concerns were expressed over the project's potential to affect emergency response times or school bus routes. The local emergency responders will be informed of any and all detours or lane restrictions through the use of public media outlets and the following INDOT Traffic Wise web site: <http://indot.carsprogram.org>.

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project require an EJ analysis?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, then:		
Are any EJ populations located within the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project result in adversely high or disproportionate impacts to EJ populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

If a project will result in two or more relocations or 0.5 acre of additional permanent right-of-way is required, then a full Environmental Justice (EJ) analysis is required. The project's right of way requirements exceed the 0.5 acre acquisition threshold, which triggers consideration of EJ issues.

Data from the 2010 Census (2010-2014 ACS 5-yr Estimates) contained on the US Census Bureau Website (<http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>) were reviewed on-line to determine the presence of minority populations and/or low-income populations within the affected community (AC) by calculating their percentages relative to the community of comparison (COC), and to then determine whether such populations will be adversely and disproportionately affected.

The AC was determined to be Census Tract 9680 within Jackson County, Indiana. The AC was compared to Jackson County, Indiana (COC). Refer to the data sheets and census tracts map contained in Appendix H, pages 1-5.

Affected communities which are more than 50% minority or low-income are automatically considered EJ populations. The percentage of minority or low-income individuals within the AC (Census Tract 9680) does not exceed 50% in either the AC or the COC. For all other affected communities, an EJ population exists if the low-income population or minority population is 25% higher than the population in the community of comparison.

As can be seen in Table 1 below, within the AC for Census Tract 9680, non-white or minority individuals are 3.41%, which is less than 50% and also less than 125% of the 9.31% (11.64%) of non-white/minority individuals in the COC. Because the AC does not contain concentrations of minority individuals that exceed 50 % of the AC total, or that exceed 125% of the COC, minority populations of concern for environmental justice are not present within or near the project area.

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Table 1: Minority EJ Analysis		
	COC Jackson County, Indiana	AC Jackson County, Indiana Census Tract 9680
Total:	43,127	5,315
Not Hispanic or Latino:	40,527	5,213
White alone	39,110	5,134
Percent Non-white (Minority)	9.31%	3.41%
AC > 50% or > 125% COC?	(11.64%)	No
EJ Population of Concern?		No

As can be seen in Table 2 below, within the AC for Census Tract 9680, low income individuals are 8.17%, which is less than 50% and also less than 125% of the 14.07% (17.59%) of low income individuals in the COC. Because the AC does not contain concentrations of low income individuals that exceed 50 % of the AC total, or that exceed 125% of the COC, low income populations of concern for environmental justice are not present within or near the project area.

Table 2: Low Income EJ Analysis		
	COC Jackson County, Indiana	AC Jackson County, Indiana Census Tract 9680
Total:	42,099	5,315
Income in the past 12 months below poverty level:	5,923	434
Percent Low Income	14.07%	8.17%
AC > 125% COC?	(17.59%)	No
EJ Population of Concern?		No

No EJ populations were identified; therefore, as a result of this project, no disproportionate and adverse impact to any EJ population is anticipated. This data collection and analysis is consistent with the size of the project and of the affected community.

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?

Is a Business Information Survey (BIS) required?

Is a Conceptual Stage Relocation Study (CSRS) required?

Has utility relocation coordination been initiated for this project?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

If a BIS or CSRS is required, discuss the results in the remarks box.

Remarks:

No relocations are required. The project will not impact any buildings or structures, nor will it negatively affect access to abutting and nearby property.

Public and private utility coordination has been undertaken and will be ongoing throughout the design and construction process. In accordance with Indiana Administrative Code 105 IAC 13-3-3, an INDOT Utility Relocation Work Plan for this project is required from all involved utilities.

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SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

	<u>Documentation</u>
Red Flag Investigation	X
Phase I Environmental Site Assessment (Phase I ESA)	
Phase II Environmental Site Assessment (Phase II ESA)	
Design/Specifications for Remediation required?	

	No	Yes/ Date
ES Review of Investigations		X / December 29, 2014

Include a summary of findings for each investigation.

Remarks: The RFI document prepared for this project is presented as Appendix E, pages 1-11. Regarding hazardous materials, there are no Hazmat Concern sites located within the half-mile RFI radius. No further investigation is warranted.
The Hazardous Materials Site Assessment Form completed for this project by a DLZ Environmental Scientist subsequent to field reconnaissance performed during November 14, 2014, is presented in Appendix E, page 11.

SECTION I – PERMITS CHECKLIST

Permits (mark all that apply) Likely Required

Army Corps of Engineers (404/Section10 Permit)	
Individual Permit (IP)	
Nationwide Permit (NWP)	
Regional General Permit (RGP)	
Pre-Construction Notification (PCN)	
Other	
Wetland Mitigation required	
Stream Mitigation required	
IDEM	
Section 401 WQC	
Isolated Wetlands determination	
Rule 5	X
Other	
Wetland Mitigation required	
Stream Mitigation required	
IDNR	
Construction in a Floodway	
Navigable Waterway Permit	
Lake Preservation Permit	
Other	
Mitigation Required	
US Coast Guard Section 9 Bridge Permit	
Others (Please discuss in the remarks box below)	

Remarks: Applicable permits are to be applied for by the designer and are to be acquired prior to construction. The project will disturb more than one acre, and will require a Rule 5 Permit to be issued by Indiana Department of Environmental Quality (IDEM). It will be the responsibility of the designer to submit plans to ES to process permits.

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SECTION J- ENVIRONMENTAL COMMITMENTS

The following information should be provided below: List all commitments, name of agency/organization requesting the commitment(s), and indicating which are firm and which are for further consideration. The commitments should be numbered.

Remarks:

Firm:

1. If permanent or temporary right of way amounts change, the INDOT Environmental Services (ES) division will be contacted immediately. (ES).
2. In accordance with the October 13, 1993, Karst MOU, and with the recommendations of the karst and geotechnical reports prepared for this project, swallow hole RR-02 will receive a concrete cap treatment. (ES).
3. In accordance with the October 13, 1993 Karst Memorandum of Understanding (MOU) between INDOT, the IDNR, the IDEM, and the USFWS, if any additional karst features are encountered, a karst survey will be conducted, with mitigation measures as necessary. (USFWS).
4. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3" dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. (USFWS).
5. If a spill occurs or contaminated soils or water are encountered during construction, appropriate personal protection equipment (PPE) should be used. Contaminated materials will need to be properly handled by trained personnel and disposed in accordance with current regulations. IDEM should be notified through the spill line at (888) 233-7745 within 24 hours of discovery of contamination. (IDEM).
6. Should it be determined that a permit is required (other than those noted above), the applicable permit(s) will be obtained prior to any construction. (ES).

For Further Consideration:

7. Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. A mitigation plan should be developed if habitat impacts will occur. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. (IDNR Division of Fish and Wildlife).
8. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and native shrub and hardwood tree species as soon as possible upon completion. Do not use any varieties of Tall Fescue, or other non-native plants (e.g. crown vetch). (IDNR Division of Fish and Wildlife).
9. Minimize and contain within the project limits in-channel disturbance and the clearing of trees and brush. (IDNR Division of Fish and Wildlife).
10. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction. (IDNR Division of Fish and Wildlife).
11. Post "Do Not Mow or Spray" signs along the right-of-way. (IDNR Division of Fish and Wildlife).
12. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized. (IDNR Division of Fish and Wildlife).
13. Seed and protect disturbed stream banks and slopes that are 3:1 or steeper with biodegradable heavy-duty erosion control blankets (follow manufacturer's recommendation for installation); seed and apply mulch on all other disturbed areas. (IDNR Division of Fish and Wildlife).
14. Implement temporary erosion and siltation control devices such as placement of riprap check dams in drainage ways and ditches, installation of silt fences, covering exposed areas with erosion control materials, and grading slopes to retain runoff in basins. (USFWS).
15. Re-vegetate all disturbed soil areas immediately upon completion, using native trees and shrubs in the riparian zone wherever feasible. (USFWS).
16. Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries. (USFWS).

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SECTION K- EARLY COORDINATION

Please list the date coordination was sent and all agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received. INDOT and FHWA are automatically considered early coordination participants and should only be listed if a response is received.

Remarks:

This project initially proposed to maintain the existing alignment. Field reconnaissance and resource impact evaluation for the initial project began in 2014. Due to the later decision to revise the project (shift the alignment 75 feet to the north); early coordination packages were sent to the agencies on February 1, 2016. Since no response to the February 1, 2016 coordination request was received from the USFWS, a coordination package was resent to the USFWS on May 31, 2016. The packages contained a cover letter, project description, location maps and project area photographs. Refer to Appendix B pages 1-10 and Appendix C page 1.

Agency/Party	Response Date(s)
Federal and State Natural Resource/Regulatory Agencies	
INDOT – Office of Public Involvement	February 2, 2016
Indiana Geological Survey	February 5, 2016
INDOT – Office of Aviation	February 08, 2016
USDA – Natural Resources Conservation Service (NRCS)	February 10, 2016
Indiana Department of Natural Resources (IDNR)	February 23, 2016
U.S. Department of Housing and Urban Development	February 23, 2016
Indiana Department of Environmental Management (IDEM)	May 31, 2016
U. S. Fish and Wildlife Service (USFWS)	June 2, 2016
Louisville District, Army Corps of Engineers	No Response
Wayne-Hoosier National Forest – Forest Supervisor	No Response
Local and County Agencies	
Brownstown Central Community School Corporation	No Response
Cortland Elementary School	No Response
Seymour Community Schools	No Response
Jackson County Sheriff’s Office	No Response
Jackson County Highway Engineering Department	No Response
Jackson County Commissioners	No Response
Jackson County Surveyor	No Response
Jackson County Planning Department	No Response
Jackson County Emergency Management	No Response
Jackson County Soil & Water Conservation District	No Response
Jackson County Solid Waste	No Response
Brownstown Police Department	No Response
Brownstown Town Hall	No Response

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Appendices

A. INDOT Supporting Documentation

A1 Categorical Exclusion Threshold Table

B. Graphics

B1 Project location map
B2 USGS topographic map
B3 GIS aerial map
B4-B7 Project area photographs
B8 Natural resource / right-of-way impacts map
B9 Wellhead proximity map
B10 Floodplain map
B11-16 Project preliminary plan sheets

C. Early Coordination

C1 Example early coordination Letter – February 1, 2016 (attachments removed)
C2 INDOT Public Involvement Office response letter – February 2, 2016
C3 IGS response letter – February 5, 2016
C4 INDOT Aviation response letter – February 8, 2016
C5 NRCS response letter – February 10, 2016
C6-C7 IDNR Division of Fish and Wildlife response letter – February 23, 2016
C8 US Department of Housing and Urban Development letter – February 23, 2016
C9 Land and Water Conservation Fund Section 6(f) Jackson County list – May 31, 2016
C10-C17 IDEM Proposed Roadway Construction Projects letter – May 31, 2016
C18-C19 USFWS response letter – June 2, 2016

D. Section 106 of the NHPA

D1-D2 2011 Archaeological document excerpts
D3-D6 Historic Property Report excerpts
D7-D12 Consulting Party correspondence letters
D13 Finding of “No Historic Properties Affected” - January 8, 2016
D14 Section 106 Public Notice publishers affidavit – January 16, 2016
D15-D17 SHPO “No Historic Properties Affected” concurrence letter – February 9, 2016
D18-D21 INDOT Cultural Resources Office Memo to Project File and supporting documentation for archaeological survey area - May 24, 2016
D22-D24 Documentation of coordination INDOT Cultural Resources Office regarding proposed 75-foot alignment shift – April 8, 2016.

E. Red Flag Investigation and Hazardous Materials

E1-E9 Red Flag Investigation excerpts
E10 Indiana karst inventory map
E11 Hazardous Materials Site Visit Form

F. Public Involvement

F1-F3 Example Notice of Survey letter – October 30, 2014

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- F4 Publisher's Affidavit of Legal Notices of the Opportunity for a Public Hearing
- F5 Memorandum of August 2, 2016 DLZ Meeting with Affected Property Owner
- F6 Memorandum of November 10, 2016 INDOT Meeting with Affected Property Owner

G. Air Quality

- G1 Page from INDOT STIP project list for Jackson County
- G2 IDEM County list of Air Quality Maintenance Areas

H. Environmental Justice

- H1 2010 – 2014 American Community Survey (ACS) 5-year minority estimates for the Community of Comparison (COC) – Jackson County
- H2 2010 – 2014 ACS 5-year minority estimates for the Affected Community (AC) - Jackson County Census Tract 9680
- H3 2010 – 2014 ACS 5-year poverty estimates for the COC
- H4 2010 – 2014 ACS 5-year poverty estimates for Jackson County Census Tract 9680
- H5 Jackson County Census Tract 9680 Map

Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right-of-Way¹	< 0.5 acre	< 10 acres	≥ 10 acres	≥ 10 acres
Length of Added Through Lane	None	None	Any	Any
Permanent Traffic Pattern Alteration	None	None	Yes	Yes
New Alignment	None	None	< 1 mile	≥ 1 mile ²
Wetlands	< 0.1 acre	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts*	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)	None	None	None	Any impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106*	“No Historic Properties Affected” or falls within guidelines of Minor Projects PA	“No Adverse Effect” or “Adverse Effect”	N/A	If ACHP involved Or Historic Bridge Involvement ⁷
Noise Analysis Required	No	No	Yes ³	Yes ³
Threatened/Endangered Species	“Not likely to Adversely Affect”, or Falls within Guidelines of USFWS 9/8/93 Programmatic Response	N/A	N/A	“Likely to Adversely Affect” ⁴
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • ESM ⁵ • ES ⁶ • FHWA	Yes	Yes	Yes Yes	Yes Yes Yes

*These thresholds have changed from the March 2011 Manual.

¹Permanent and/or temporary right-of-way.

²If the length of the new alignment is equal to or greater than one mile, contact the FHWA’s Air Quality/Environmental Specialist.

³In accordance with INDOT’s Noise Policy.

⁴ If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.

⁵Environmental Scoping Manager

⁶Environmental Services Division

⁷ Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement

APPENDIX B

Graphics



Categorical Exclusion Level 3 Documentation
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Jackson County, Indiana

Appendix B



Figure 1. Map of Indiana showing the vicinity of the study area.

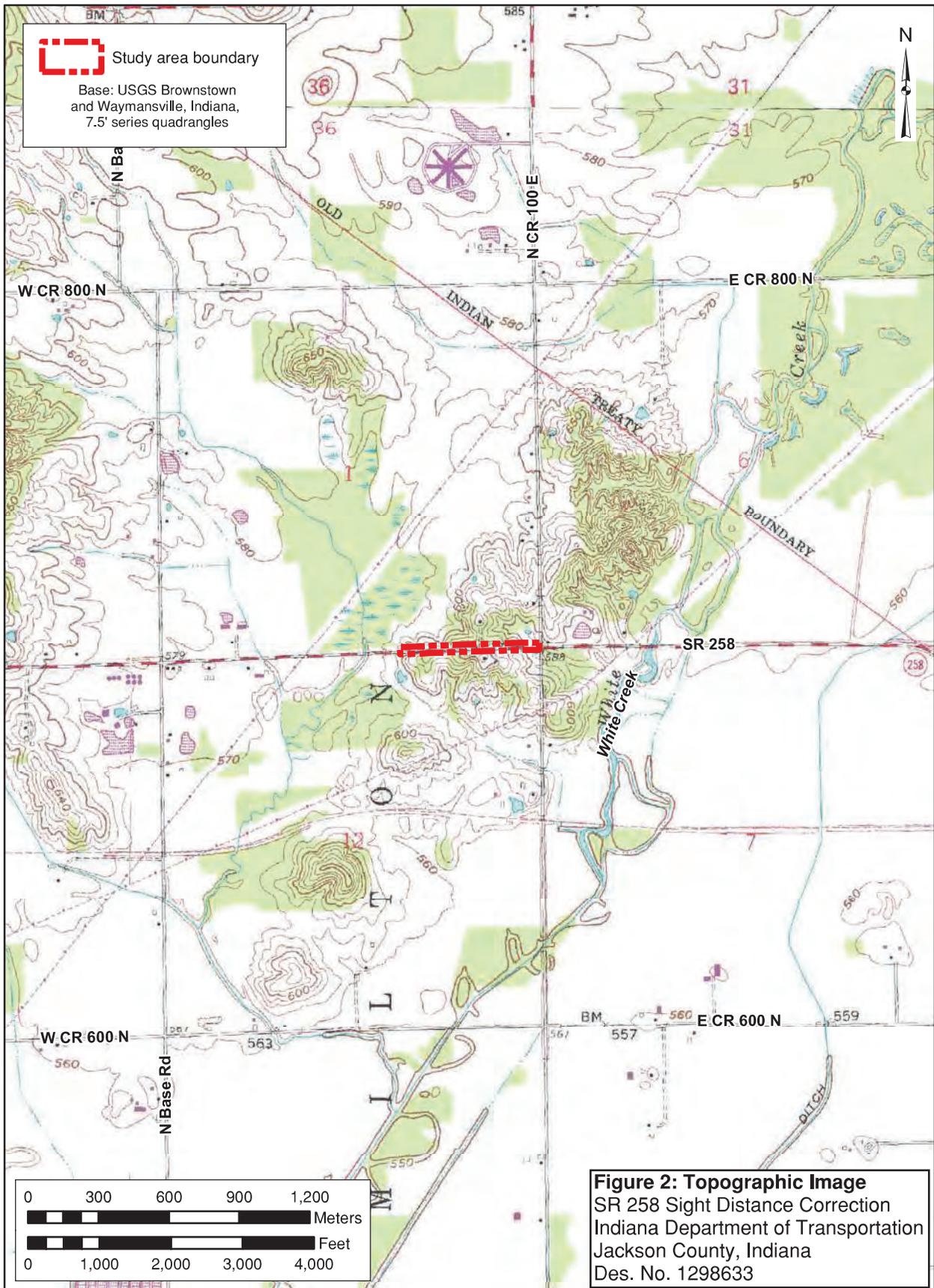


Figure 2. Portions of the 1958 (photorevised 1994) Brownstown and 1962 (photorevised 1994) Waymansville, Indiana quadrangles (USGS 7.5' topographic maps) showing the study area.



Figure 3: Aerial Image of Project Area
SR 258 Sight Distance Correction
Indiana Department of Transportation
Jackson County, Indiana
Des. No. 1298633

Not drawn to scale



Figure 3. Photo #1, view from intersection of SR258 and CR100E, facing east-northeast.

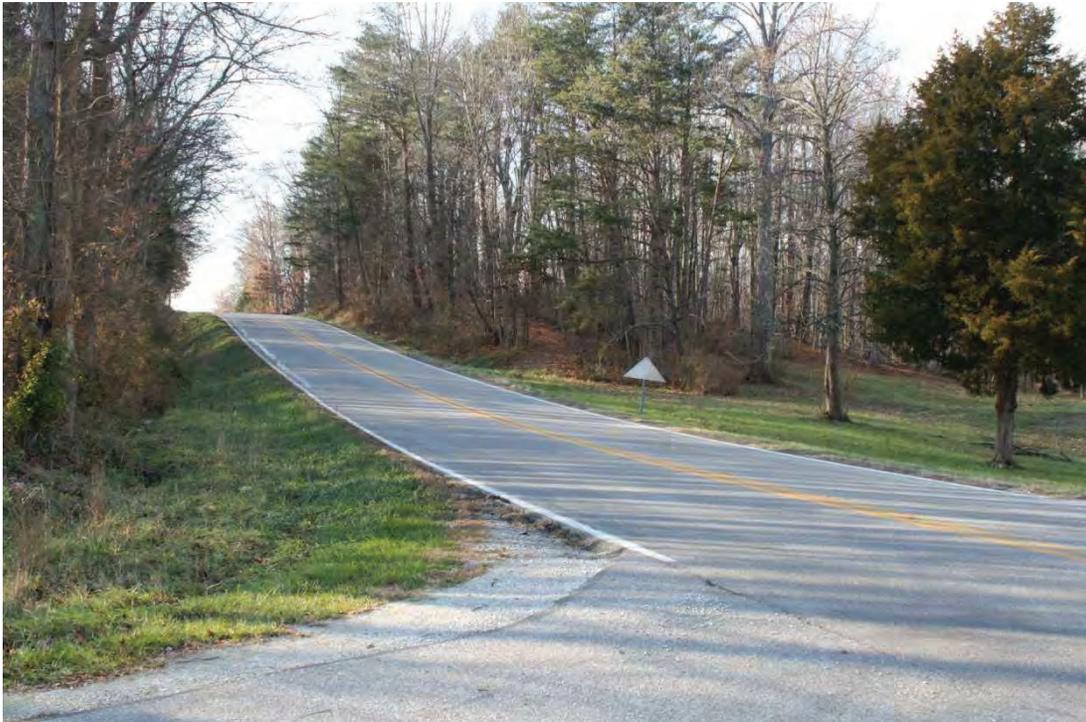


Figure 4. Photo #2, view from intersection of SR258 and CR100E, eastern project terminus, facing west-northwest.



Figure 5. Photo #3, SR258 at house number 643, facing west.



Figure 6. Photo #4, facing south from SR258 toward house number 875 (see Chapter 4).



Figure 7. Photo #5, SR258 facing west at house number 603.

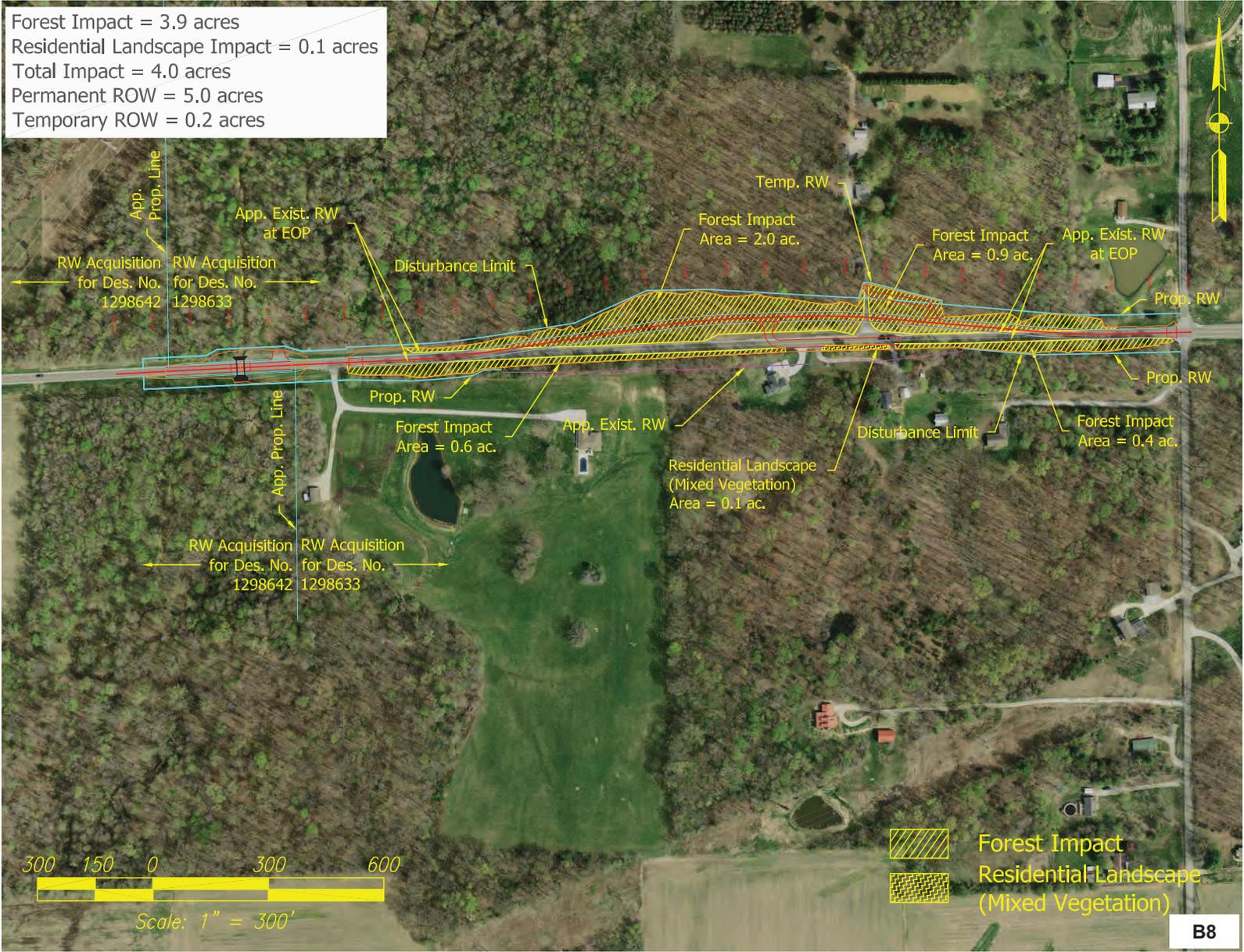


Figure 8. Photo #6, SR258 at western project terminus, facing east.



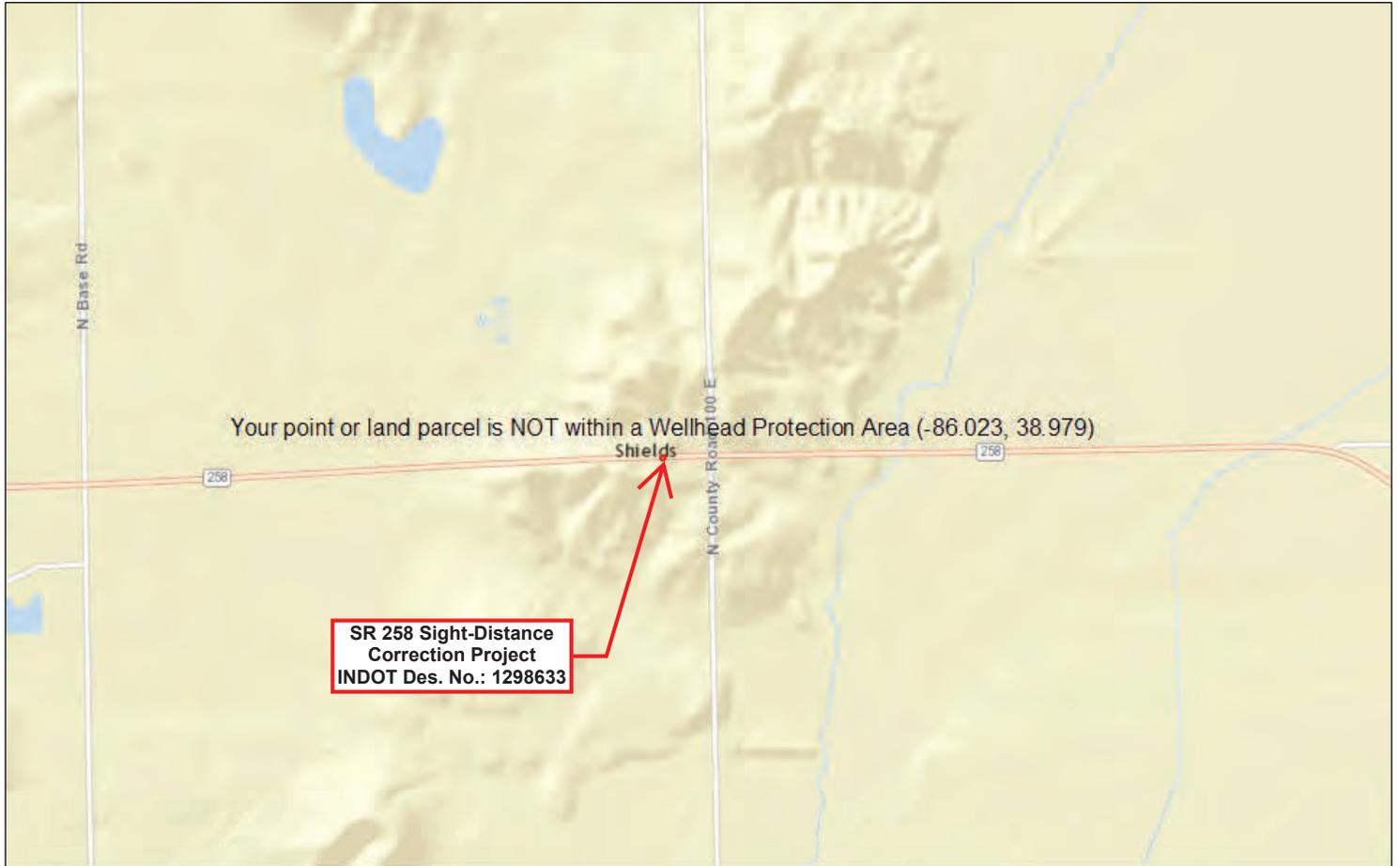
Figure 9. Photo #7, SR258 near house number 875, facing eastern project terminus (bottom of slope).

Forest Impact = 3.9 acres
 Residential Landscape Impact = 0.1 acres
 Total Impact = 4.0 acres
 Permanent ROW = 5.0 acres
 Temporary ROW = 0.2 acres

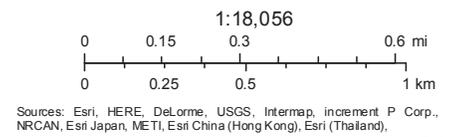


B8

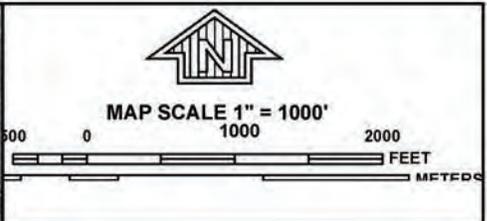
IDEM Wellhead Proximity



June 1, 2016



B9



PANEL 0185D

FIRM
FLOOD INSURANCE RATE MAP
JACKSON COUNTY,
INDIANA
AND INCORPORATED AREAS

PANEL 185 OF 425
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

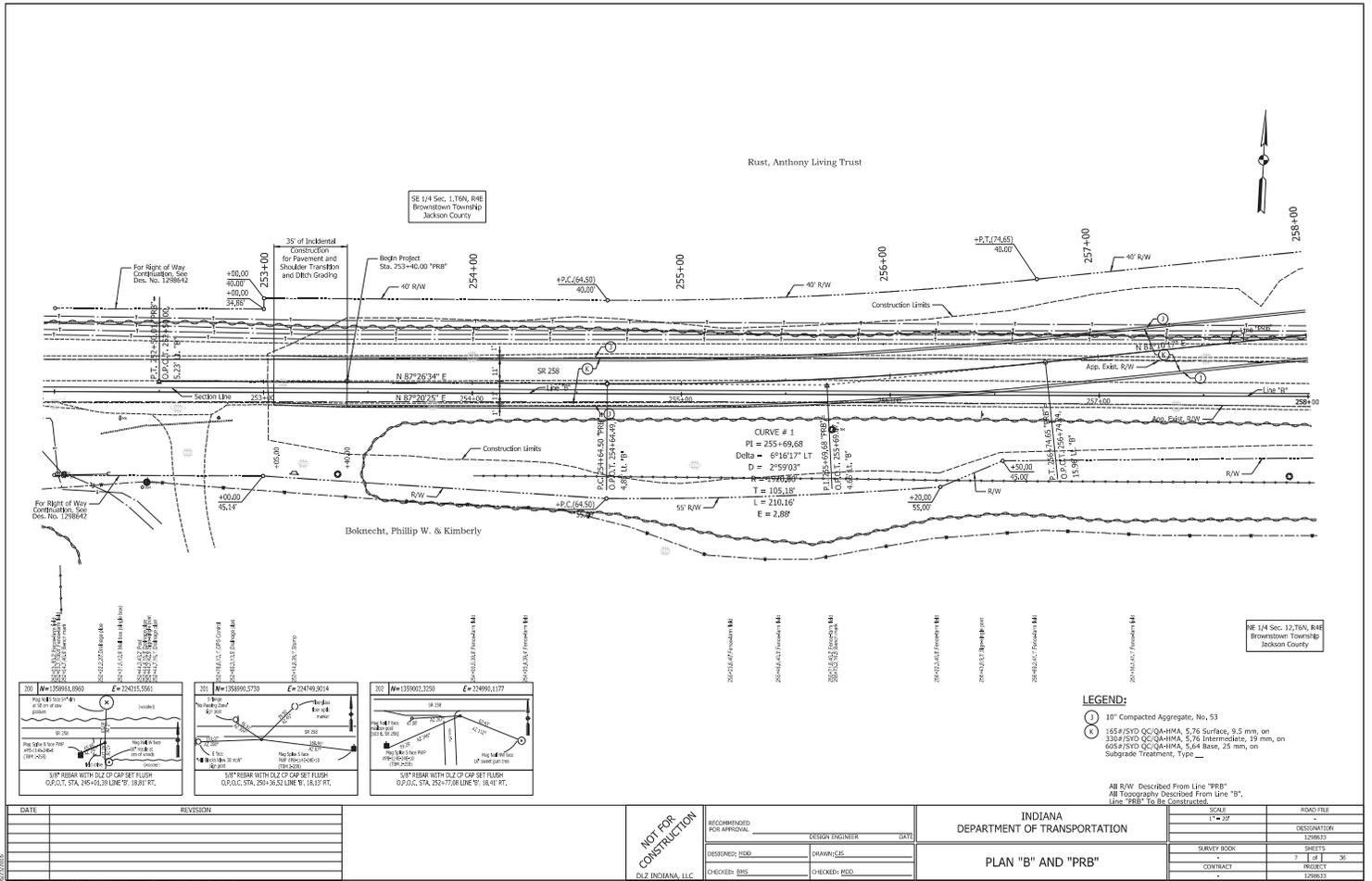
COMMUNITY	NUMBER	PANEL	SUFFIX
JACKSON COUNTY	180405	D185	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
18071C0185D
EFFECTIVE DATE
NOVEMBER 19, 2014

Federal Emergency Management Agency

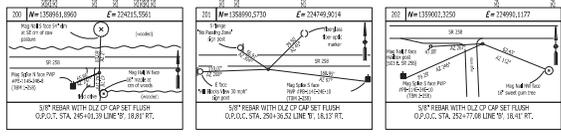
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



LEGEND:

- (J) 10" Compacted Aggregate, No. 53
- (X) 155# / SYD QC/QA-HMA, 5.75 Surface, 9.5 mm, on 330# / SYD QC/QA-HMA, 5.75 Intermediate, 19 mm, on 600# / SYD QC/QA-HMA, 5.64 Base, 25 mm, on Subgrade Treatment, Type _____

All R/W Described From Line "PRB"
 All Topography Described From Line "B"
 Line "PRB" To Be Constructed.



DATE	REVISION

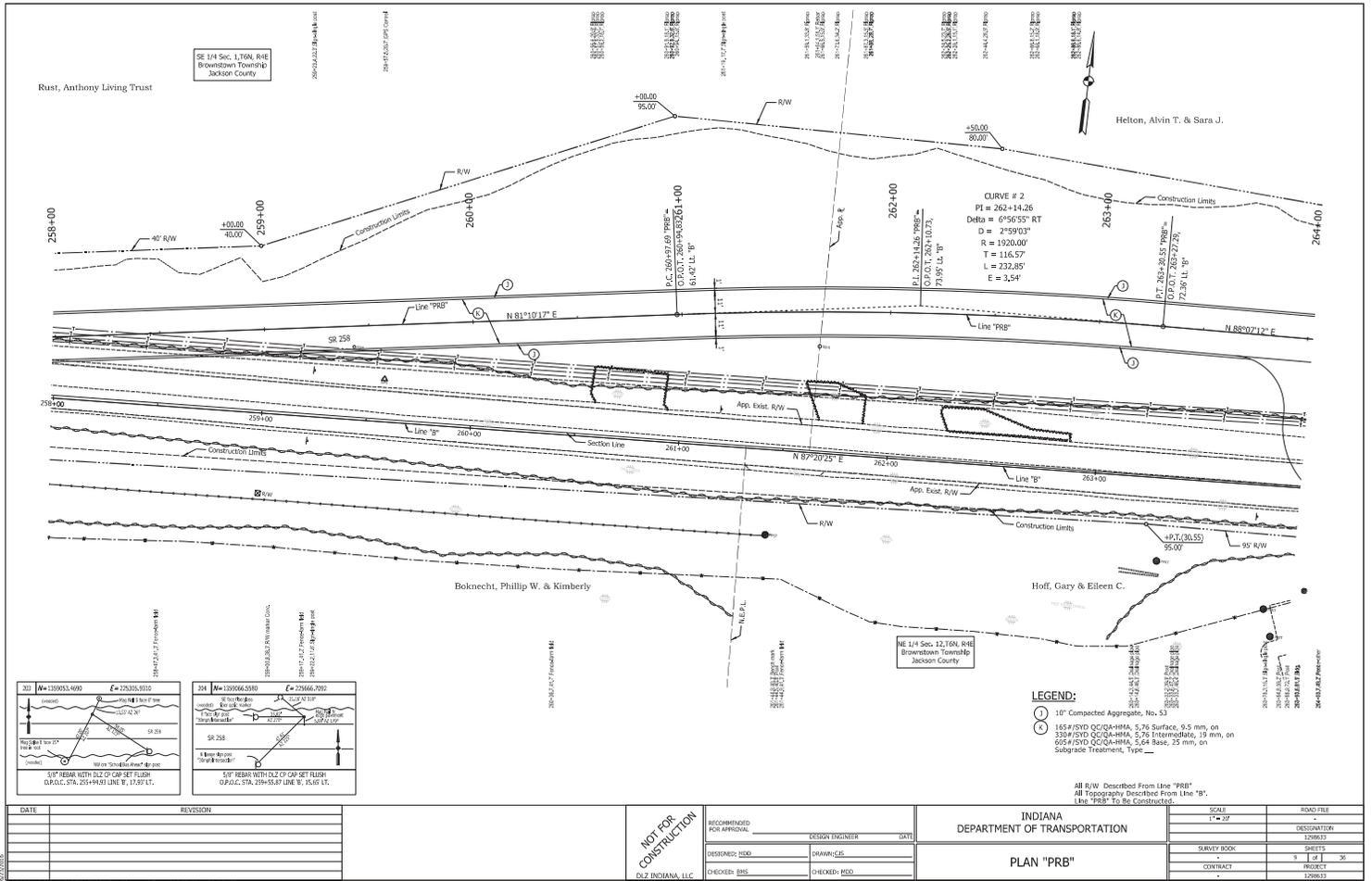
NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: DEB	DRAWN: GLE	
CHECKED: EMS	CHECKED: DEB	

INDIANA
DEPARTMENT OF TRANSPORTATION

PLAN "B" AND "PRB"

SCALE	ROAD FILE
1" = 20'	-
SURVEY BOOK	DESCRIPTION
	126833
CONTRACT	SHEETS
	7 of 36
	PROJECT
	126833



LEGEND:

- ① 10' Compacted Aggregate, No. 53
- ② 165# / SVD CC-QA-HMA, 5.75 Surface, 9.5 mm, on 330# / SVD CC-QA-HMA, 5.75 Intergrade, 19 mm, on 605# / SVD CC-QA-HMA, 5.64 Base, 25 mm, on Subgrade Treatment, Type ___

All R/W Described From Line "PRB"
 All Topography Described From Line "B"
 Line "PRB" To Be Constructed.

DATE	REVISION

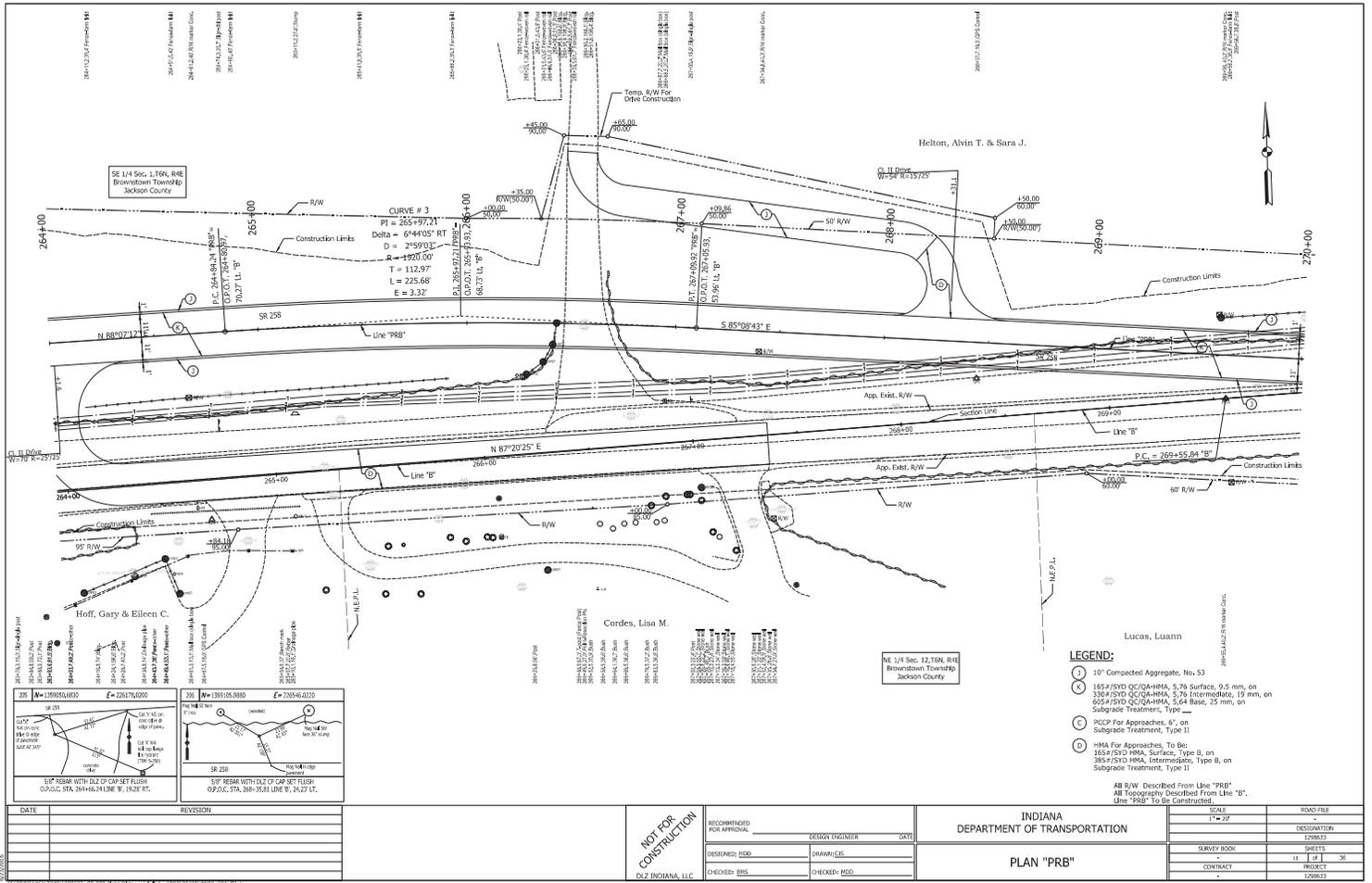
NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGNER	DATE
DESIGNED BY	DRAWN BY	
CHECKED BY	CHECKED BY	

INDIANA
 DEPARTMENT OF TRANSPORTATION

PLAN "PRB"

SCALE	ROAD FILE
1" = 20'	DESIGNATION
	126833
SURVEY BOOK	SHEETS
	9 12 36
CONTRACT	PROJECT
	126833



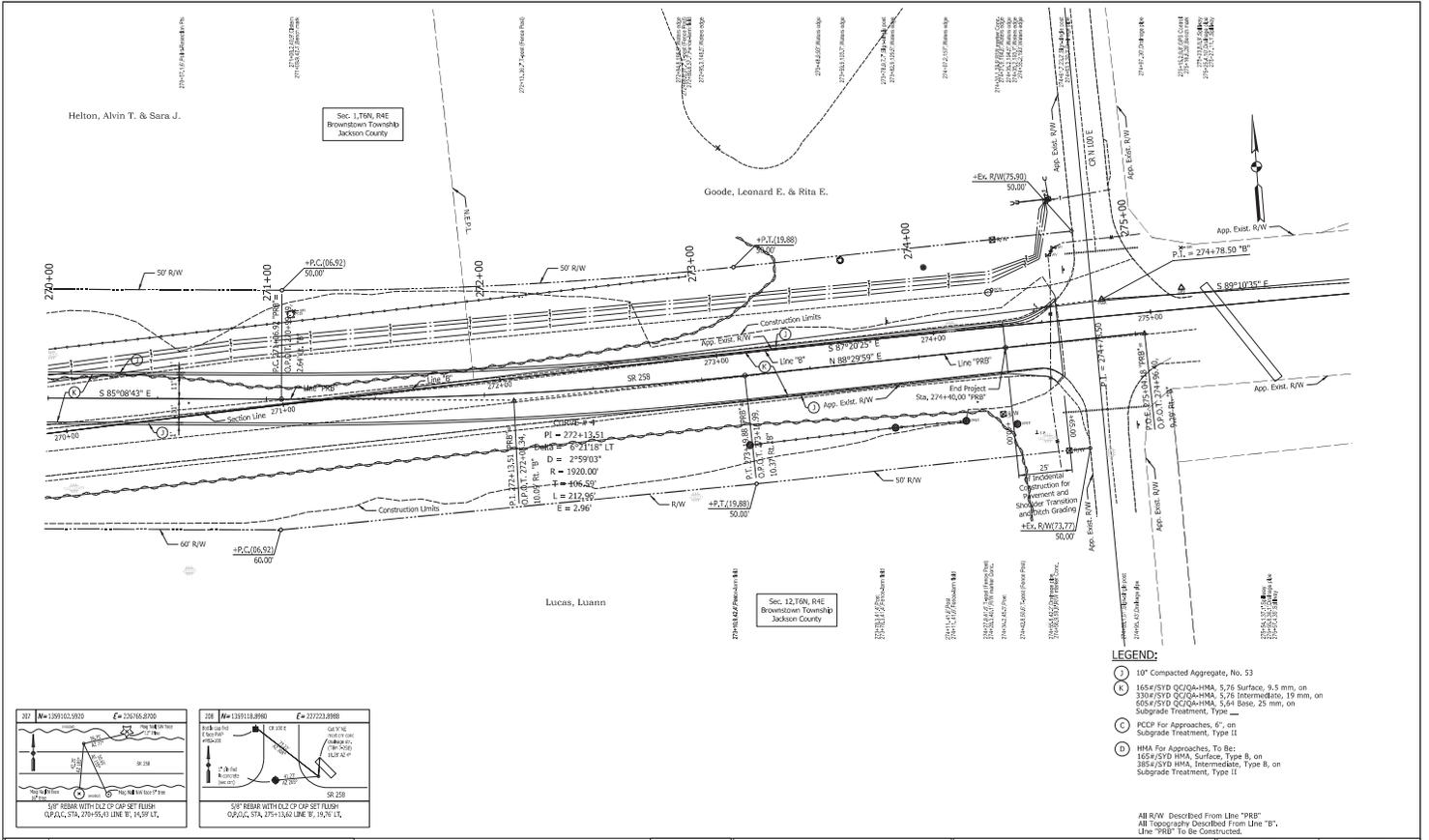
DATE	REVISION

NOT FOR CONSTRUCTION
 DLZ INDIANA, LLC

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED BY	DRAWN BY	
CHECKED BY	CHECKED BY	

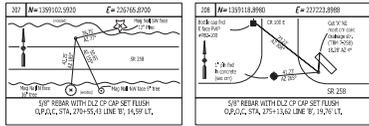
INDIANA
 DEPARTMENT OF TRANSPORTATION
 PLAN "PRB"

SCALE	ROAD FILE
1" = 20'	-
DESIGNATION	126633
SURVEY BOOK	SHEETS
-	11 of 36
CONTRACT	PROJECT
-	126633



- LEGEND:**
- (A) 10' Compacted Aggregate, No. 53
 - (B) 165#/SYD CCGA-HMA, 5.75 Surface, 9.5 mm, on 330#/SYD CCGA-HMA, 5.75 Intermediate, 19 mm, on 605#/SYD CCGA-HMA, 5.50 Base, 25 mm, on Subgrade Treatment, Type II
 - (C) RCP For Approaches, 6' on Subgrade Treatment, Type II
 - (D) HMA For Approaches, To Be: 165#/SYD HMA, Surface, Type B, on 330#/SYD HMA, Intermediate, Type B, on Subgrade Treatment, Type II

All R/W Described From Line "PRB"
 All Topography Described From Line "B",
 Line "PRB" To Be Constructed.



DATE	REVISION

NOT FOR CONSTRUCTION

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED BY	DRAWN BY	
CHECKED BY	CHECKED BY	

INDIANA
 DEPARTMENT OF TRANSPORTATION

PLAN "B" AND "PRB"

SCALE	ROAD FILE
1" = 20'	
DESIGNATION	
SURVEY BOOK	SHEETS
	13 of 36
CONTRACT	PROJECT
	329833

APPENDIX C

Early Coordination Documentation



Categorical Exclusion Level 3 Documentation
INDOT Des. No.: 1298633
SR 258 Sight-Distance Correction Project
Jackson County, Indiana

Appendix C



Sample Early Coordination Letter
Note: The graphics that accompanied the early coordination letters are omitted from this section. The omitted graphics are presented as Appendix B, Pages 1-13.

February 1, 2016

Field Supervisor
USFWS, Bloomington Field Office
620 South Walker Street
Bloomington, IN 47403-2121

Re: SR 258 Sight Distance Improvement Project, Jackson County, Indiana, INDOT Designation No.: 1298633,
DLZ Project No.: 1461-2249-90

Dear Interested Party:

The Indiana Department of Transportation (INDOT) intends to proceed with the SR 258 sight distance improvement project, in Jackson County, Indiana. DLZ Indiana, LLC is the consultant contracted by INDOT for this project. Project development activities will require preparation of Environmental Studies to determine potential project effects upon community, economic and ecological resources.

A project description and area maps are enclosed for your information. We are requesting comments per your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation number and description in your reply.** We will incorporate your comments into the required studies of the projects' environmental impacts.

Should a response not be received **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary; upon request a reasonable amount may be granted.

If you have any questions regarding this matter, please feel free to contact the undersigned (Tel.: 317-633-4120). Thank you for your assistance and prompt response to this coordination request.

Very truly yours,

DLZ INDIANA, LLC

Thomas F. Molt
Environmental Scientist

cc: FHWA-IN, INDOT-Greenfield District
GKF, DLZ file

M:\PROJ\1461\2249 - SR 258 SD Improve\NEPA\Early Coordination\EC_PKG_TransLtr.doc

Early Coordination - DES# 1298633 SR 258 Sight Distance Correction

Clark, Rickie [RCLARK@indot.IN.gov]

Sent: Tuesday, February 02, 2016 3:13 PM

To: Thomas Molt



Good Afternoon,

I received an early coordination notification packet for the project listed above. The reason we're requesting to be notified at the early coordination stage is to try to develop public involvement plans and raise public awareness of transportation improvement projects earlier in the project development phase when it makes sense to engage the public/stakeholders. For larger projects (EIS, EA) INDOT/LPA's do a great job engaging the public. For smaller jobs (CE) there may be other opportunities to engage the public prior to the hearings phase (**if your project meets the minimum INDOT public involvement criteria**), or **opportunities that are simply good business in terms of engaging project stakeholders**, so I wanted to provide templates (via our web page) for consideration as this project develops and to also let you know that my office is available to help with any public outreach efforts you may wish to use as this project develops.

The Community Context Audit is an important tool in project development and should be used when developing a public involvement plan. In addition, completion of the Community Context Audit better equips the project sponsor in developing a project that best meets the needs of the community. A public involvement plan is an important element in the project development process.

Visit <http://www.in.gov/indot/2366.htm> to view the Community Context Audit and Public Involvement Plan templates and "Best Practices in Public Involvement" which highlights some activities INDOT has found to be effective in our public involvement efforts. These documents may be of interest to you as you think about how best to engage project stakeholders.

Also, I'd encourage you to view the FHWA public involvement video available on the INDOT Public Involvement page.

The templates available via INDOT's Office of Public Involvement (OPI) may be helpful in documenting any public involvement activities implemented during project development or perhaps encourage discussion in identifying any public involvement needs for the project. The public involvement plan could be as simple as using a more detailed Notice of Survey with additional contact info, and the normal Public Hearings phase.....or a detailed Notice of Survey, a media release/advisory, the Public Hearings phase, in addition to Sec. 106 and other activities.

My office is available to provide support and/or resources to bolster any public involvement activities you may wish to implement or just discuss. I appreciate the time and opportunity to comment. Feel free to contact myself or Mary Wright, Public Hearings Examiner (317-234-0796) should you have questions or concerns.

Rickie Clark, Indiana Department of Transportation
Office of Public Involvement / Central Office Communications Division
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204
Phone: (317) 232-6601
Email: rclark@indot.in.gov



Project No. 1461-2249-90

Des. No. 1298633

Project Description: SR 258 Sight Distance Correction

Name of Organization requesting early coordination:

DLZ Indiana, LLC

QUESTIONNAIRE FOR THE INDIANA GEOLOGICAL SURVEY

1) Do unusual and/or problem () geographic, () geological, () geophysical, or () topographic features exist within the project limits? Describe:
This is not a problem. No unusual and/or problem geological features exist within the project limits.

2) Have existing or potential mineral resources been identified in this area? Describe:
This is not a problem. The project area is underlain by Devonian and Silurian carbonate rocks that have been mined elsewhere as a source of crushed-stone products. These rocks are too deep in the project area to be regarded as a potential mineral resource, however. The project area is located in an area that has been mapped as having low potential for sand and gravel resources.

3) Are there any active or abandoned mineral resources extraction sites located nearby? Describe: This is not a problem. The nearest mineral extraction site is an abandoned sand and gravel pit located approximately 4.0 miles south of the east end of the project area.

This information was furnished by:

Name: Walter A. Hasenmueller, LPG IN816 Title: Geologist

Address: 611 North Walnut Grove, Bloomington, IN 47405

Phone: 812-855-7428

Date: February 5, 2016

RE: INDOT Des. No. 1298633 - Coordination Package

Kinder, James [JKinder@indot.IN.gov]

Sent: Monday, February 08, 2016 1:20 PM

To: Thomas Molt

Mr. Molt,

I have reviewed this project and I have determined that there is No Impact with the airspace.

Thank You,

James W. Kinder
Chief Airport Inspector
Department of Aviation INDOT
Room Number 955 IGCN
100 N. Senate Ave.
Indianapolis, IN 46204
JKinder2@indot.in.gov

From: Thomas Molt [mailto:tmolt@dlz.com]
Sent: Tuesday, February 02, 2016 9:54 AM
To: Kinder, James
Subject: INDOT Des. No. 1298633 - Coordination Package

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Good Morning:
Please find attached coordination package for the above-mentioned project. If you have any questions or if we may be of further assistance, please do not hesitate to call or write. Thank you.
Sincerely,
Tom Molt

Thomas Molt | Environmental Scientist

317-633-4120 x8272 (office) | 317-633-4177 (fax)
tmolt@dlz.com | www.dlz.com



[LinkedIn](#) | [Twitter](#) | [FaceBook](#) | [Issuu](#)



United States Department of Agriculture

Natural Resources Conservation Service
Indiana State Office
6013 Lakeside Boulevard
Indianapolis, IN 46278
317-290-3200

February 10, 2016

RECEIVED

FEB 17 2016

Thomas F. Molt
Environmental Scientist
157 East Maryland Street
Indianapolis, Indiana 46204

Dear Mr. Molt:

The proposed State Road 258 Sight Distance Improvement project in Jackson County, Indiana (Des No 1298633) as referred to in your letter received February 1, 2016, will not cause a conversion of prime farmland.

If you need additional information, please contact Rick Neilson at 317-295-5875.

Sincerely,

JANE E. HARDISTY
State Conservationist

Helping People Help the Land.



USDA is an equal opportunity provider and employer.

C5

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-18842

Request Received: February 2, 2016

Requestor: DLZ Indiana LLC
Thomas F Molt
157 East Maryland Street
Indianapolis, IN 46204

Project: SR 258 sight distance improvement project: shifting the road 50' to the north, 800' west of CR 100E; Des #1298633

County/Site info: Jackson

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. We recommend a mitigation plan be developed (and submitted with the permit application, if required) if habitat impacts will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20140806-IR-312140295NRA.xml.pdf>. The mitigation site should be located preferably as close to the impact site as possible and adjacent to existing forested riparian habitat.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to wetland habitat should also be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and native shrub and hardwood tree species as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants (e.g. crown-vetch).
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks,

THIS IS NOT A PERMIT

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

crevices, or cavities) from April 1 through September 30.

4. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction.

5. Post "Do Not Mow or Spray" signs along the right-of-way.

6. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

7. Seed and protect all disturbed slopes that are 3:1 or steeper with heavy-duty biodegradable erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



Date: February 23, 2016

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife

Des. No. 1298633

Vahl, Steve [steve.vahl@hud.gov]

Sent: Tuesday, February 23, 2016 9:39 AM

To: Thomas Molt

SR 258 Sight Distance Improvement Project
Jackson Co., IN

Given the information in your submittal of 2/1/16 this office has no environmental concern regarding the subject action.

Steve Vahl
Regional Environmental Officer
312-913-8728

United States Department of the Interior
National Park Service
Land & Water Conservation Fund

Detailed Listing of Grants Grouped by County

Today's Date: 5/31/2016

Page: 13

INDIANA - 18

Grant ID & Element	Type	Grant Element Title	Grant Sponsor	Amount	Status	Date Approved	Exp. Date	Cong. District
HENRY								
294 - XXX	D	SUNSET PARK	KNIGHTSTOWN PARK BOARD	\$24,894.06	C	3/10/1977	12/31/1980	6
393 - XXX	D	MIDDLETOWN: DIETRICH PARK IMP.	MIDDLETOWN PARK BOARD	\$12,250.00	C	2/13/1981	12/31/1985	2
HENRY County Total:				\$37,144.06		County Count:		2
HOWARD								
45 - XXX	C	WILSON PARK	KOKOMO PARK BOARD	\$35,393.55	C	6/28/1968	12/31/1969	5
318 - XXX	C	D/DARROUGH-CHAPEL PARK	KOKOMO PARK BOARD	\$90,516.00	C	6/20/1978	6/30/1981	5
367 - XXX	D	DARROUGH-CHAPEL PARK DEVELOPMENT	KOKOMO PARK BOARD	\$172,500.00	C	6/30/1980	12/31/1984	5
437 - XXX	A	JACKSON MORROW PARK ACQ.	KOKOMO PARK BOARD	\$100,000.00	C	2/16/1985	6/30/1991	5
530 - XXX	D	JACKSON MORROW PARK	KOKOMO PARK BOARD	\$105,606.10	C	4/4/2002	12/31/2006	5
HOWARD County Total:				\$504,015.65		County Count:		5
HUNTINGTON								
212 - XXX	D	HUNTINGTON SERVICE AREA	DEPT. OF NATURAL RESOURCES	\$65,827.40	C	5/22/1975	6/30/1978	4
233 - XXX	D	SALAMONIE HORSEMAN'S CAMPGROUND	DEPT. OF NATURAL RESOURCES	\$18,066.00	C	12/16/1975	12/31/1977	4
545 - XXX	C	D/EVERGREEN PARK	HUNTINGTON PARK BOARD	\$190,295.91	C	1/28/2004	12/31/2007	5
HUNTINGTON County Total:				\$274,189.31		County Count:		3
JACKSON								
447 - XXX	R	STARVE HOLLOW RENOVATION	DEPT. OF NATURAL RESOURCES	\$599,785.09	C	6/5/1985	6/30/1989	9
JACKSON County Total:				\$599,785.09		County Count:		1



Indiana Department of Environmental Management

We make Indiana a cleaner, healthier place to live.

Mike Pence
Governor

100 North Senate Avenue
Indianapolis , Indiana 46206

Thomas W. Easterly
Commissioner

(317) 232-8603
800) 451-6027
www.IN.gov/idem

Indiana Department of Transportation
Joseph Bell, P.E.
185 Agrico Lane
Seymour , IN 47274

DLZ Indiana, LLC
Tom Molt
157 East Maryland Street
Indianapolis , IN 46204

Date

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: SR 258 Sight Distance Correction Project - INDOT Des. No.: 1298633. This project is located on SR 258, approximately 8 miles west of Seymour, in Jackson County, Indiana. The east project limit is North CR 100 East and the project extends approximately 1,800 feet to the west. The need for this project is due to the crest vertical curve along SR 258 which is deficient in vertical stopping sight distance for east bound vehicles approaching the CR 100 E intersection from the west. The purpose of this project is to enhance roadway safety.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm>.

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm>. IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm>.
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana . A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.

4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the follow statutes:
 - IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
 - IC 14-28-1 Flood Control Act 310 IAC 6-1
 - IC 14-29-1 Navigable Waterways Act 312 IAC 6
 - IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
 - IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> . Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm>

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq>), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF], pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html>).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm>.

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
9. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm>) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5

years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm>.)

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit:

http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf.) It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>, <http://www.in.gov/idem/4145.htm>, or <http://www.epa.gov/radon/index.html>.

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>.

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit:
<http://www.in.gov/idem/4983.htm>.

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit:
<http://www.in.gov/isdh/19131.htm>.
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: www.ai.org/legislative/iac/t03260/a00020.pdf.) New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm>, or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm>.
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).

6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm>.

FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the notification requirement with a single notice if all required permit applications are submitted within the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm>, is used.

Sincerely,



Thomas W. Easterly
Commissioner

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

SR 258 Sight Distance Correction Project - INDOT Des. No.: 1298633. This project is located on SR 258 approximately 8 miles west of Seymour, in Jackson County, Indiana. The east project limit is North CR 100 East and the project extends approximately 1,800 feet to the west. The need for this project is due to the crest vertical curve along SR 258 which is deficient in vertical stopping sight distance for east bound vehicles approaching the CR 100 E intersection from the west. The purpose of this project is to enhance roadway safety.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

C16

Date: 6/1/2016

Signature of the INDOT
Project Engineer or Other Responsible Agent



Joseph Bell, P.E.

Date: 5-31-2016

Signature of the
For Hire Consultant



Tom Molt

Re: FW: INDOT Des. No. 1298633 - SR 258 Sight Distance Correction Project Coordination Package

McWilliams, Robin [robin_mcwilliams@fws.gov]

Sent: Thursday, June 02, 2016 3:26 PM

To: Thomas Molt

Dear Tom,

Below are our comments for the SR 258 sight distance correction project. Again, I apologize for the delay.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, as amended, and the U. S. Fish and Wildlife Service's Mitigation Policy.

According to information you provided our office, the proposed project will improve the stopping sight distance for east bound vehicles on SR 258 as they approach the CR 100E intersection. Approximately 5 acres total of new right-of-way will be acquired; approximately 4.0 acres of this is forest. Tree-clearing is anticipated for project.

RECOMMENDATIONS

Based on a review of the information you provided, we recommend the following mitigation measures (where applicable) be included in the final project plans to minimize adverse impacts to fish and wildlife resources:

1. Avoid all work within the inundated part of the stream channel (in perennial streams and larger intermittent streams) during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment should be operated below Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams.
2. Restrict below low-water work to placement of piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.
3. Restrict channel work and vegetation clearing to the minimum necessary.
4. Construct new structures with a widened span and benches on one or both sides to provide for wildlife crossing, if practical. The crossing should be above normal high water, relatively flat and with natural substrate suitable for use by a wide variety of wildlife.
5. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.
6. Implement temporary erosion and siltation control devices such as placement of riprap check dams in drainage ways and ditches, installation of silt fences, covering exposed areas with erosion control materials, and grading slopes to retain runoff in basins.
7. Re-vegetate all disturbed soil areas immediately upon project completion, using native trees and shrubs in the riparian zone wherever feasible.
8. Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries.

THREATENED AND ENDANGERED SPECIES

The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*) (NLEB). There are numerous records of both species in Jackson County.

Indiana bats hibernate in caves then disperse to reproduce and forage in relatively undisturbed forested areas associated with water resources during spring and summer. Recent research has shown that they will inhabit fragmented landscapes with

adequate forest for roosting and foraging. Young are raised in nursery colony roosts in trees, typically near drainage-ways in undeveloped areas. Like all other bat species in Indiana, the Indiana bat diet consists exclusively of insects.

The northern long-eared bat was recently listed as threatened under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). At this time, no critical habitat has been proposed for the NLEB. The entire state of Indiana is within the known range of the NLEB. During the summer, NLEBs typically roost singly or in colonies in cavities, underneath bark, crevices, or hollows of both live and dead trees and/or snags (typically ≥ 3 inches dbh). Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on presence of cavities or crevices or presence of peeling bark. It has also been occasionally found roosting in structures like barns and sheds (particularly when suitable tree roosts are unavailable). They forage for insects in upland and lowland woodlots and tree lined corridors. During the winter, NLEBs predominately hibernate in caves and abandoned mine portals. Additional habitat types may be identified as new information is obtained.

There is suitable summer habitat for **both** of these species present throughout the area surrounding the project site, including wooded areas within the project boundary. The project will not eliminate enough habitat to affect these species, but to avoid incidental take from removal of an occupied roost tree we recommend that tree-clearing be avoided during the period **April 1 - September 30**. If this measure is implemented we concur that the proposed project is not likely to adversely affect the Indiana bat or the northern long-eared bat.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

We appreciate the opportunity to comment at this early stage of project planning. If project plans change such that fish and wildlife habitat may be affected, please re-coordinate with our office as soon as possible. If you have any questions about our recommendations, please call Robin McWilliams Munson at (812) 334-4261 (Ext. 207).

Sincerely,

Robin

Robin McWilliams Munson

U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, Indiana 46403
812-334-4261 Fax: 812-334-4273

Monday, Tuesday - 7:30a-3:00p
Wednesday, Thursday - telework 8:30a-3:00p

On Tue, May 31, 2016 at 3:05 PM, Thomas Molt <tmolt@dlz.com> wrote:

Thank you very much!
Tom

Thomas Molt | Environmental Scientist

317-633-4120 x8272 (office) | 317-633-4177 (fax)
tmolt@dlz.com | www.dlz.com